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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Art Unit: 2661
Halme)
Serial No.: 09/726,677) Examiner: Unknown
Filed: 11/29/2000) Docket No: BER-017
For: DATA TRANSMISSION CONTROL METHOD)



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FEB 22 2002

Technology Center 2600

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§1.97-1.98, the undersigned would like to make the following prior art references of record in the above-identified patent application. The undersigned believes that some of these references may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

While this Information Disclosure Statement may contain material information pursuant to 37 C.F.R. §1.56, it is not intended to constitute an admission that any individual reference referred to herein is prior art to the invention disclosed and claimed in the above-identified patent application.

Each reference listed herein may be accompanied by an explanation of its relevance. While this explanation is believed to generally reflect the contents of the references which the undersigned believes a reasonable examiner might consider relevant and material to the examination of the above-identified patent application, it is not intended that the examiner rely on the description as unfailingly accurate or complete. A copy of each reference is enclosed for the express purpose of providing the examiner with an opportunity to perform an independent evaluation to arrive at an independent assessment of its relevance and materiality, if any, to the

claimed subject matter.

Cited Art

Kenner, et al., U.S. Patent 6,112,239, Filed Jun. 18, 1997, Patent Issued Aug. 29, 2000: Teaches a distributed data storage network with multiple servers maintaining copies of the same multimedia data. Network performance is analyzed, and this information is used to select the server best situated on the network to deliver multimedia content.

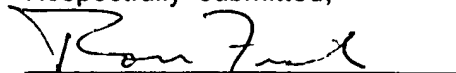
Jukka, EP 1 065 844 A2 (Stonesoft OY), Date of Publication 3 Jan. 2001: **This reference is not believed to be prior art since it was published after the US filing date and after the priority data of the subject application although it was filed as a European Patent application before the US filing date and before the priority date.** Nevertheless, it teaches distributing IP traffic connections among a plurality of different routes. A route is selected for the new connection and the packets of that connection have their source IP addresses translated to new IP addresses associated with the selected route. Selection of a route is based upon predefined criteria such as round trip times measured by a method involving packet replication.

Brinkman, EP 0 993 146 A2, Published 12.04.2000: **This reference is not believed to be prior art since it was published after the US filing date.** Teaches a method for measuring network delays and performing stress analysis. Each node has the ability to recognize and process a special test message. The test message is sent along a specific route through the network specified by the initiator. Each node places its local time in the packet as the packet is processed at that node. The packet traverses the network along the specified path and the time stamps provide the ability to analyze delays seen by each node and the round trip time under various conditions of load.

Dunne et al., U.S. Patent 5,845,091, Filed 2/15/96, Issued 12/1/98: Teaches the use of forwarding lists for sending packets by various paths through a network to a destination. The entries on the forwarding lists represent possible paths through the network. A primary entry is the default path. The default path is used if it is valid, but, if not, then one of the other entries is used to define the path to be used.

Dated: February 4, 2002

Respectfully submitted,

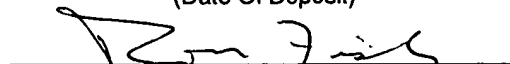


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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington D.C. 20231 on February 4, 2002
(Date Of Deposit)



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